

Brookfield Charter Revision Committee
MINUTES (approved 10/06/11)
Special Meeting of Thursday, September 29, 2011, 7:30 p.m.
Selectman's Conference Room (2nd Floor), Brookfield Town Hall

Chairman Miller convened the meeting at 7:38 p.m. and established a quorum of members.

Present: Chairman L. Miller, Vice Chairman J. Park, R. Jaffe, D. Propper, M. Labadia, G. Dembowski, P. Scalzo,

Absent: Secretary D. Miles, S. Martone,

Also Present: Town Attorney D. Grogins, Recording Secretary D. Cioffi

1.0 Public Comments (15 minutes).

No one present.

2.0 Correspondence.

The Commission noted receipt of the following correspondence: from Commissioner Propper, "CRC: Voter quantity requirements", attached hereto.

Additionally, Chairman Miller submitted a copy of "Town of Newtown: Charter Revision Referendum Questions, Explanatory Text", also attached hereto. *Town Attorney D. Grogins, 158 Deer Hill Ave., Danbury, CT, was present*, and reviewed the results of the Charter Revision in Newtown. He noted the advantage of timing a Charter Revision vote with an annual November election. Attorney Grogins advised that the ballot questions must be submitted to the Secretary of State's Office sixty days prior to the vote.

3.0 Review and Accept September 15, 2011 Meeting Minutes.

This item was tabled until the October 6, 2011 meeting.

4.0 Discussion with Attorney Grogins regarding the proposed ballot questions.

Town Attorney D. Grogins, 158 Deer Hill Ave., Danbury, CT, was present. He indicated that he reviewed the proposed ballot questions sent to him by the Commission. He noted that, as Town Counsel, he usually writes the questions. He added that because of the optical reader ballots the Commission does not need to be concerned with limiting the number of questions, but cautioned that voters might be bored reading something that is too long.

Commissioner Scalzo inquired how the recommendation for Town Manager form of government be handled, and Attorney Grogins suggested that the Commission write the Charter section that will propose and authorize this position. There was further discussion regarding the job description. Commissioner Scalzo inquired how the Town Manager provision would affect other sections of the Charter, and Attorney Grogins advised he would also review this. He further

noted that the ballot questions are most often summaries of changes being proposed. He reviewed how changes to the appropriation process in the Town of Ridgefield Charter were recently handled. Attorney Grogins suggested that the Commission provide his office with the recommended changes, along with explanatory text per Connecticut General Statutes Section 9-369a. He further recommended that public meetings be held to educate the public about the proposed changes. Vice Chairman Park noted that no change is being proposed for the Town Meeting form of government.

Commissioner Labadia advised that many of the First Selectman's duties, except for the administrative tasks, would remain with the Board of Selectmen. He suggested that there be a "Powers and Duties" section for both the Town Manager and the Board of Selectmen, outlining their respective authority.

Chairman Miller inquired if any of the proposed ballot questions had potential conflicts with Town ordinances or State statutes. Attorney Grogins advised that his office would also review the Charter revisions for these conflicts.

Commissioner Jaffe inquired what the minority representation rule would be with five Selectmen, and Attorney Grogins stated it would be a simple majority of three to two, as well as a simple majority for the remainder of Boards and Commissions. Chairman Miller advised Attorney Grogins that the Commission is proposing a separate ballot for First Selectman only. Additionally, Attorney Grogins indicated that the merger of the Planning and Zoning Commissions would not likely impact other sections of the Charter.

Commissioner Scalzo inquired how to make the Voter Quantity Requirement percentages more consistent. Attorney Grogins recommended that it be proposed to the voters with an advisement of what the resulting required numbers for signatures would be. He further suggested carefully considering and making very specific the items that could be changed by petitioning for a Town Meeting or referendum.

Commissioner Propper inquired if there is any item that should be specifically outlined in the Charter Revision regarding the powers and duties of the Town Manager. There was discussion regarding the research that has been collected from other municipalities regarding the role.

Attorney Grogins recommended that the Commission develop the Town Manager job description and the other proposed changes to the Charter, and send it to his office for review. Vice Chairman Park inquired if there is a State statute that requires alternate members on Boards and Commissions, and Attorney Grogins advised that there is not.

There was discussion regarding the role of Town Treasurer. Attorney Grogins advised that the Town Controller could be designated to sign notes and open bank accounts. Chairman Miller informed him that the Commission is likely going to recommend that the Treasurer position be ceremonial and that all elected positions be non-paid and volunteer.

At 8:09 p.m., a member of the public, J. Friedrich, 10 Cherokee Drive, joined the meeting.

Chairman Miller indicated that at the next meeting, the Commission would work on the percentages and draft a presentation for a public hearing. There was discussion regarding getting the questions prepared for a vote during the Presidential election in November 2012 to increase participation.

Vice Chairman Park inquired how to ensure that proposed changes are compliant with current ordinances. Attorney Grogins indicated he would review the suggested Charter language to ensure that it is compliant with current law. With regard to the First Selectman's responsibility to review the town ordinances, annually, Attorney Grogins also advised that there is a company called "General Code", that will do this to ensure that the town code is complete and in compliance, and make recommendations regarding procedural consolidation and statutory issues. The work by this company is done in conjunction with Town Counsel. Attorney Grogins will provide a contact name to the Commission.

Attorney Grogins further noted that if the Planning and Zoning Commissions were merged, their regulations would have to be combined as well. Attorney Grogins further stated that Town Counsel generally groups the technical Charter Revision questions together.

Attorney Grogins left the meeting at 8:24 p.m.

5.0 Public Comments (15 minutes).

No one present. J. Friedrich was present, but had no questions or comments.

6.0 Adjourn.

Commissioner Scalzo moved to adjourn the meeting at 8:25 p.m. Vice Chairman Park seconded the motion, and it carried unanimously.

****Next regularly scheduled meeting October 6, 2011****